

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL CASE NO. 3:20-cv-00043-MR**

STEVE LEE WALDEN MENIUS,)
)
 Plaintiff,)
)
 vs.)
)
 GASTON COUNTY DEPARTMENT OF)
 SOCIAL SERVICES, et al.,)
)
 Defendants.)
 _____)

ORDER

THIS MATTER is before the Court on Plaintiff's Motions to Amend [Docs. 11, 12].

A plaintiff may amend the complaint once as a matter of course within 21 days after serving the complaint, or within 21 days after service of a responsive pleading or 21 days after service of a motion under Rule 12(b), (e), or (f), which is earlier. Fed. R. Civ. P. 15(a)(1). A plaintiff may subsequently amend with permission from the court which "shall be freely granted when justice so requires." Fed. R. Civ. P. 15(a)(2).

Plaintiff's Motions to Amend will be granted, subject to all applicable rules and procedural requirements. Plaintiff shall have thirty (30) days in which to amend his Complaint. Plaintiff must submit his Amended Complaint

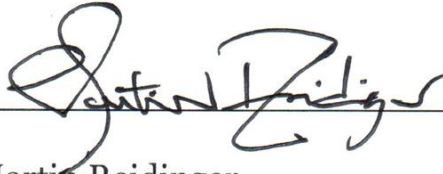
on a § 1983 form, clearly identify the Defendants against whom he intends to proceed and set forth facts describing how each of the Defendants allegedly violated his rights. See generally Fed. R. Civ. P. 10(a). The Amended Complaint will replace the original Complaint; piecemeal amendment will not be permitted. The Court notes that Plaintiff has filed several Letters and Declarations in which he appears to assert additional claims [See Docs. 6, 7, 9, 16]. Any claims not included in the Amended Complaint will be waived. See generally Young v. City of Mt. Ranier, 238 F.3d 567, 572 (4th Cir. 2001) (“an amended pleading ordinarily supersedes the original and renders it of no legal effect.”) (citations omitted). If Plaintiff fails to timely amend his Complaint in accordance with this Order, the Court will proceed on his original Complaint [Doc. 1].

IT IS, THEREFORE, ORDERED that Plaintiff’s Motions to Amend [Docs. 11, 12] are **GRANTED**. Plaintiff shall have **thirty (30) days** in which to amend his Complaint in accordance with the terms of this Order. If Plaintiff fails to amend the Complaint in accordance with this Order and within the time limit set by the Court, this action will proceed on the original Complaint [Doc. 1].

The Clerk is instructed to mail Plaintiff a blank prisoner § 1983 complaint form along with a copy of this Order.

IT IS SO ORDERED.

Signed: September 8, 2020

A handwritten signature in black ink, appearing to read "Martin Reidinger", written over a horizontal line.

Martin Reidinger
Chief United States District Judge

